

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

OLIVER LYONS, *pro se*,

v.

C.A. No. 04 - 380 T

A.T. Wall, Director, Rhode Island  
Department of Corrections, et al.

**MEMORANDUM AND ORDER**

Plaintiff Oliver Lyons, an inmate incarcerated at the Rhode Island Department of Corrections ("RIDOC"), filed a complaint pursuant to 42 U.S.C. § 1983 alleging violations of his Constitutional rights. Currently before the Court are two motions filed by the plaintiff:

1. On May 25, 2006, plaintiff filed a motion to compel the defendants to produce photographs, films, and other documents pursuant to Fed. R. Civ. P. 37(a). Defendants have objected.

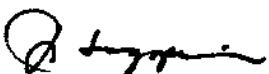
Upon consideration of the motion, of the objection, and of Fed.R.Civ.P. 37, plaintiff's motion is **DENIED**. Plaintiff has failed to certify that he has, in good faith, attempted to secure these items from defendants without court action pursuant to Fed. R. Civ. P. 37(a)(2)(B).

Plaintiff is hereby directed to confer with defense counsel in an attempt to secure the desired information. If unsuccessful in his efforts to retrieve the desired information, plaintiff may re-file the instant motion.

2. On June 7, 2006, plaintiff filed a motion to compel certain defendants to answer interrogatories pursuant to Fed.R.Civ.P. 37(a). Upon consideration of the motion, and of Fed.R.Civ.P. 37, plaintiff's motion is **DENIED**. Plaintiff has failed to certify that he has, in good faith, attempted to secure answers from defendants without court action pursuant to Fed. R. Civ. P. 37(a)(2)(B).

Plaintiff is hereby directed to confer with defense counsel in an attempt to secure the desired information. If unsuccessful in his efforts to retrieve the desired information, plaintiff may re-file the instant motion.

**IT IS SO ORDERED.**

  
Jacob Hagopian  
Senior United States Magistrate Judge  
June 27, 2006